

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

LEVTEC, LLC,	:	Case No. 3:14-cv-00276
	:	
Plaintiff,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
MICHELLE BARKAN, BARKAN	:	
ADVERTISING, LLC, TURN INC.,	:	
	:	
Defendants.	:	

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**ENTRY AND ORDER GRANTING TURN, INC.'S MOTION TO BIFURCATE  
TRIAL (DOC. 93) PURSUANT TO FED. R. CIV. P. 42(b)**

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This case is before the Court on the Motion to Bifurcate Trial (“Motion to Bifurcate”) (Doc. 93) filed by Defendant Turn, Inc. (“Turn”) pursuant to Fed. R. Civ. P. 42(b). Turn seeks an order bifurcating the bench trial set to commence on May 15, 2017 into two separate trials: one regarding the parties’ liability and a second bench trial regarding damages. Plaintiff Levtec, LLC (“Levtec”) does not oppose Turn’s Motion to Bifurcate and further states that bifurcation may promote a settlement of this case in the interim between the Court’s ruling on liability and the trial on damages, if any. (Doc. 95.) Defendants Michelle Barkan and Barkan Advertising, LLC also do not oppose Turn’s Motion to Bifurcate.

**WHEREFORE**, pursuant to Fed. R. Civ. P. 42(b), the Court hereby **GRANTS** Turn’s unopposed Motion to Bifurcate (Doc. 93). On May 15, 2017, the Court will proceed with the bench trial on liability only. After the Court has ruled on liability, it will schedule a status conference for purposes of setting a date to complete a trial on damages, if necessary.

**DONE and ORDERED** in Dayton, Ohio, this Monday, May 1, 2017.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE